



Written by [Bob Adelman](#) on November 8, 2021

Texas to Amend Constitution to Prohibit State Restrictions on Churches

Among the [eight amendments Texas voters approved](#) last Tuesday was Proposition 3, a “prohibition on limiting religious services or organizations amendment.” After already having passed both houses of the state legislature, voters approved it 62 percent to 37 percent.

Under previous powers, Texas cities including Dallas, Denton, El Paso, and Lubbock shut down religious services in March and April 2020 in response to the COVID pandemic. Texans were outraged when, for example, local police surrounded a parking lot of a church where worshippers were holding outdoor services during the shutdown.



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Proposition 3 adds an entire section to the Texas state constitution:

This state or a political subdivision of this state may not enact, adopt, or issue a statute, order, proclamation, decision, or rule that prohibits or limits religious services, including religious services conducted in churches, congregations, and places of worship, in this state by a religious organization established to support and serve the propagation of a sincerely held religious belief.

It provided no exceptions. No repeat of a COVID pandemic or its equivalent in the future. As a result of Tuesday’s elections, Texans massively supported the First Amendment to the U.S. Constitution: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” They likewise supported the 14th Amendment: “[no] State [shall] deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

State Representative Scott Sanford, along with every other Republican in the House, explained his vote supporting Prop 3:

Churches provide essential spiritual, mental, and physical support in a time of crisis. Closing churches not only eliminated these critical ministries and services, but it violated their religious freedom, guaranteed by our laws and Constitution.

State Senator Donna Campbell explained her support:

When the restrictions were put on the church, it crossed the line from what we could do,



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which was buy groceries, and what we couldn't do, which was worship as we want to worship.

Pastor John Greiner of the Glorious Way in Houston said: "The church should be the place where people go to get healed ... they should be free to close if that's what they want to do, but I don't think the government should impose that upon any group at all.

Supreme Court Justice Neil Gorsuch put the matter well. In a related ruling, *Espinoza v. Montana Department of Revenue*, decided in 2020, he wrote:

The First Amendment protects religious uses and actions for good reason....

What does it mean to tell an Orthodox Jew that she may have her religion but may be targeted for observing her religious calendar?

The right to *be* religious without the right to *do* religious things would hardly amount to a right at all.

On Tuesday, Texas voters made certain that neither the state nor any of its political subdivisions would ever cross that line again, putting grocery shopping ahead of worshipping the Creator of the Universe, seeking His sustenance and comfort during a time of crisis.



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